



Town Administrator's Report Board of Selectmen's Meeting of February 27, 2017

Report covers from February 4 to February 24, 2017

Items requiring Board vote or discussion are noted with an asterisk (*)

A. Town Department Reports/Requests

No items.

B. Computer Systems

No items.

C. Personnel

No items.

D. Procurement/Ongoing Projects

(1) Town Hall/Library Renovation Weekly Construction Meetings

I attended the subject meetings on February 8, 15, and 22, 2017. The general contractor is presently continuing interior finish work. Work on the new, interior stairway and boarding in the new, third-floor meeting hall is complete. Plastering in the new meeting hall space is underway and work on the various office countertops and other custom carpentry has begun. Also, the interior painting subcontractor has commenced work and the elevator subcontractor has prepared the elevator system for the necessary State inspection (which will be scheduled after flooring is installed at all stair landings).

Recommendation: I will update the Board as necessary.

(2) Change Order for Sprinkler Flow Switches and Wiring, Town Hall/Library(*)

The new sprinkler system in the Town Hall/Library requires various flow switches in certain places to control various zones. Our architect's engineering subcontractor contends that the eleven components and the wiring therefor should have been carried in the electrical subcontractor's base bid. However, the electrical subcontractor contends that the plans did not clearly articulate those requirements. Both sides of the argument have some merit and, in an effort to resolve the matter, our electrical subcontractor has offered to install and wire the flow switch components and install and wire the new projector and motorized projection screen in the new auditorium for the original flow switch price of \$4,607.43 (a figure that was carried when the Fall Town Meeting voted on the additional funding). Both our Project Manager and our architect are recommending this solution as the best way to proceed.

Recommendation: Board approval of the flow switch change order, which will also provide for the installation and wiring of the motorized, drop-down screen and the ceiling-mounted projector (which we have already purchased separately).

(3) Installation of In-Line Heater for Vault Dehumidification System (*)

While the base project bid included the installation of a dehumidification system for the basement vault, it did not include any temperature controls. Given that the tendency will be for the vault to get progressively cooler (due to its basement location), our designer has recommended the installation of an in-line heating system. The cost for that work will be available by meeting time.

Recommendation: Board approval of the change order for the in-line vault heating system.

(4) Re-visitation of Third-floor Meeting Hall Storage Area Change Order (*)

At the last meeting, the Board had authorized the Chairman to approve a change order for the completion of four storage areas in the third-floor meeting hall so long as the work was \$7,500 or less. We will be receiving pricing on that proposal by meeting time and the total cost is expected to be closer to \$10,000. As such, I am bringing the matter back before the Board for further discussion. I still recommend the work, but the Board needs to have a chance to discuss the final price.

Recommendation: Board approval of the change order for the storage areas in the third-floor meeting hall.

(5) Options and Costs for Lighting Town Hall Clock Faces (*)

In the past, the Board had generally decided that the Town Hall clock faces should be lit at each face, as opposed to from the ground. Our architect has now studied several options for building-mounted lighting: a) use curved, vertical staffs at about five feet long above each clock face to project fiber optic-generated light onto each face, at a cost that could be as much as \$8,000 above the allowance built into the project; b) use similar staffs to mount LED fixtures with larger heads, at a slightly lower cost; c) mount LED “rope” lights around each clock face at a cost that is being determined; d) mount small flood lights just below each clock face at a cost that is being determined; e) light the clocks from the ground for a relatively low cost; f) do not light the clocks at all (resulting in a small project credit).

Recommendation: Board discussion relative to the desired lighting option.

(6) Other Emergent Town Hall Issues that May Result in Change Orders (*)

In addition to the items above that will result in project change orders, I have taken stock with our designer of some other matters that have a good probability of also resulting in change orders between now and the completion of the project. These include:

- a) replacement of plaster on side face of new stairway (which would be prone to cracking) with stained wood at a cost of about \$1,300;
- b) upgrade of material for weathervane replacement rod at a cost of about \$200;
- c) standardization of interior office trim in second-floor offices (waiting for pricing);
- d) replacement of bowed/warped door that is being re-purposed from the phase 1 work, which may be covered by warranty;
- e) complete refinishing of main stair run from first floor to second floor with application of clear polyurethane instead of just repainting as provided in the base bid;
- f) tapering of Library floor beneath new carpet to deal with a built-up floor from phase 1 work (to handle a height difference to an old brick floor) – a wall has been removed in this phase, creating this new problem;
- g) insertion of a glass pane in shared, part-time office door, if code permits;
- h) covering the PVC pipes that emerge from the chimney for the new boiler with copper sleeves, for aesthetics;
- i) if funding permits, in the spring, straitening of front lantern post foundations, at a cost of about \$6,500;
- j) if funding permits, in the spring, application of galvanic paint to metal vent in belfry, at a cost of about \$2,300;
- k) if funding permits, in the spring, application of kiem sealant on all new masonry sills, for longevity, at a cost of about \$1,500;
- l) if funding permits, in the spring, improvement of exterior Library lighting fixtures;
- m) other items that have yet to be discovered...

***Recommendation:* Board discussion relative to these likely cost increases versus remaining available contingency funds.**

(7) Award of Contract for Northern Conomo Point Improvement Project (*)

Bids were solicited for a second time as of February 8, 2017 after the Selectmen voted to cancel the original procurement at the last meeting (due to no valid base bids being even close to the available funding amount). The revised project scope included some changes that were aimed at reducing overall project costs while still preserving some type of hardscape separation between the waterfront park and the surrounding area. This second round of bids was due on February 23, 2017 and a total of three bids were received.

Considering the base bid and all of the alternates, Campbell Construction Group, LLC of Peabody was the apparent low bidder, with a base bid (park only) of \$353,350. When alternate 1 (which adds in the parking lot) is considered, the total increases to \$408,350 and, to that, must be added 5% in construction contingency and \$25,000 for necessary items that are not part of the construction bid. The grand total is therefore \$453,768.

Presently, \$335,070 remains in the original, \$450,000 project appropriation after the design, permitting, and bid phase. Also, the Conomo Point Management Fund is eligible to fund certain elements of the work, and \$50,000 is available, bringing the available funds total to \$385,070. The remainder of \$68,698 could be obtained via a line-item transfer from the Conomo Point legal fund line item to the Town Property line item. The Finance Committee will be present at the meeting to consider a request of that nature.

***Recommendation:* Award of the contract to Campbell Construction Group, LLC if a line-item transfer is approved by the Finance Committee.**

E. Insurance

(1) Monthly Pothole Log

I obtained the pothole log for the month of January from the DPW during the week of February 6, 2017. No potholes were reported.

Recommendation: No further action is necessary.

F. Facilities

(1) Asbestos Abatement at 8 Conomo Lane

Our asbestos abatement contractor, E&F Environmental, completed abatement of the asbestos in a former dwelling and associated garage at 8 Conomo Lane during the week of February 20, 2017. All work was fully coordinated with our industrial hygienist, TRC Environmental, and the work was inspected and cleared, including interior air testing. The site is now ready for the next phase of work, which will be the actual demolition of the structures, along with the demolition of a former dwelling at 4 Conomo Lane (which contained no asbestos).

Recommendation: No further action is necessary.

(2) Demolition of Structures at 4 and 8 Conomo Lane

Our demolition contractor, K&R Construction, plans to commence demolition work at 4 and 8 Conomo Lane after March 15, 2017. I have obtained the necessary demolition permits and will coordinate the work fully with the Fire Department (for spraying down the work zone) and the Department of Public

Works (for dumpster service and fine cleanup). The site is not within the jurisdiction of the Conservation Commission, since it is more set back from the marsh than the previous demolition sites have been.

Recommendation: I will update the Board as necessary.

(3) Draft of Fourth Siting Option for New Fire Station (*)

As the Board is aware, Reinhardt Associates (now Caolo & Bieniek Associates) had been tasked with additional engineering work to determine if a new fire station could be sited between Town Hall and the existing location of Shepard Memorial Drive. The firm has completed preliminary drawings and it would be useful to have the Board's input before the assignment goes into a draft final stage, after our engineer meets with the Town Building Committee on March 8, 2017. The Finance Committee will also be available at the present meeting to discuss this matter. Further, I am working with Congressman Moulton's office to determine if the Town could benefit from a USDA grant program that could augment available Town funds for the project.

Recommendation: **Board discussion with the Finance Committee.**

G. Fiscal/Budget

No items.

H. Complaints

No items.

I. Meetings Attended

(1) Meeting and Office Hours, Congressman Moulton's Office

Morgan Bell from Congressman Moulton's Office met with me on February 22, 2017 to review the Town's present legislative priorities. The Congressman's Office also held open office hours for the general public at the Senior Center later that day (which was very well attended). Congressman Moulton will continue to advocate for the Town's need for future funding that may help unify the need for Essex River dredging with coastal resiliency mitigation. Also, his office will explore with us the potential for assistance with lingering environmental questions concerning the Allen property on Southern Avenue. Further, his office will explore whether any Federal funding exists to perhaps augment Town funding for our fire and police building needs.

Recommendation: I will update the Board as necessary.

(2) Cape Ann Chamber of Commerce Essex Division Meeting

I attended the subject meeting on February 15, 2017. I was asked to provide a presentation updating the membership on the status of efforts by the Town to both dredge the Essex River Federal Channel while working toward coastal resiliency mitigation. The presentation went well and served to educate people on the need to look at both issues (dredging and coastal resiliency) together, since one benefits the other and since funding for resiliency is more likely for Essex than is funding for dredging alone.

Recommendation: No further action is necessary.

J. Final Judgment

No items.

K. Town Meeting, By-Laws, and Regulations

(1) Revised Draft Annual Town Meeting Warrant (*)

I have revised the draft Annual Town Meeting Warrant per the Board's guidance at past meetings. The Finance Committee will be in attendance at the present meeting to review the document with the Board, in conjunction with the draft fiscal year 2018 operating and capital budgets.

Recommendation: **Board review of the revised warrant with the Finance Committee.**

L. Legal Issues

(1) Successor Cable Television Franchise Agreement with Comcast (*)

As the Board is aware, the existing contract with Comcast for the provision of cable television in our area expires on March 14, 2017. The Cape Ann Regional Cable Advisory Committee has been negotiating on a regional basis with Comcast and it is now time for the Selectmen to take stock of the various positions and determine how the contract should be finalized.

To that end, I attended the Committee's meeting of February 16, 2017 to get the very latest position of Comcast with respect to four major contract elements: 1) amount of Comcast pass-through funding for local cable access programming, which is provided by Cape Ann TV; 2) amount of pass-through funding for the Town Technology Fund; 3) amount of grant funding for Cape Ann TV to upgrade to high-definition capabilities and to upgrade various pieces of equipment; and 4) the status of the Cable I-Net.

Relative to the above elements, a total of 4.85% of Comcast's Gross Annual Revenue for Cape Ann subscribers is on the table. This figure would be broken

out to each community per the number of subscribers in each community and would cover Cape Ann TV's operation and a Technology Fund for each community, at approximately the same rate that fund accrues today. Also on the table is a capital payment of \$848,000 over the ten-year term of the contract to Cape Ann TV to allow for the upgrade of local cable plant elements to high definition and to simply replace some aging equipment. The Cable I-Net that is now supported by Comcast would continue to function in its present state for the term of the contract.

We expect to hear back from Comcast at the next negotiation session on March 3, 2017, at which time we expect to be very close to finalizing terms. If a tentative agreement can be reached before the March 14, 2017 contract expiration date, the current contract terms could be continued until such time as the full successor contract is prepared for review and acceptance by the Board.

Recommendation: **Board discussion regarding finalization of the successor franchise agreement for cable television in Essex.**

M. Grants

(1) Site Visit with DEP Brownfields Program Technical Staff (*)

I had the opportunity to review the Allen property issues with a technical expert from the DEP Brownfields program in Essex on February 8, 2017. The purpose of the visit was to review the summary report concerning potential hazardous waste issues for the site that had been produced for the Essex County Greenbelt. Chris LaPointe from Greenbelt and Rodney Elliott (Director of the MA Brownfields Program) were also present. Brownfields Program staff made it clear that no State funds were currently available to assist with respect to a project such as ours. However, the staff was helpful in framing the basic issues and pointing us in the direction of other potential assistance.

The DEP staff recommended that I get in touch with the Boston office of the EPA. The EPA's Targeted Brownfields Assessment Program might offer funding with respect to further analyzing the issues associated with the potential demolition of the dilapidated barn on the property, as a first step. Without such an assessment, demolition contractors have insufficient information to understand project risks and to accurately bid on any such undertaking. To this end, I spoke to Mr. Alan Peterson and he agreed to eventually come out and look at the site, after he has had a chance to review the matter internally.

Recommendation: **Board discussion relative to how an assessment of the garage might be undertaken using this Federal grant program.**

(2) Site Visit to Close Out Green Community Grant for Town Hall/Library

The Town Planner and I hosted a site visit to the Town Hall/Library for the benefit of Green Community Grant personnel on February 14, 2017. Given that the grant program authorized over \$130,000 in funding toward the Town Hall/Library renovation project (due to the many energy efficiency improvements the project is making), program staff needed to field-verify our progress. The site visit went well and we expect that the grant will be closed out in the near future, in time for our Town Planner to apply for new funding for other projects this coming grant round.

Recommendation: No further action is necessary.

N. Emergency Planning

(1) Essex Regional Dispatch Center Monthly Meeting and Budget (*)

I presided over the subject meeting of the various advisory boards to the Regional Dispatch Center as Chairman of the Executive Advisory Board on February 17, 2017. The meeting featured a public hearing hosted by the Finance Advisory Board regarding the fiscal year 2018 operating budget proposal. The Finance Advisory Board then voted to approve the budget, which keeps the Cherry Sheet cost for each municipality at the same \$16.26 per capita rate that has been in place since fiscal year 2014 (i.e. for a fifth straight fiscal year).

However, the Center has been picking up costs associated with connectivity between each of the four communities and Middleton. For Essex, these costs are approximately \$8,000 per year and have been covered for us since fiscal year 2013 (5 full fiscal years - \$40,000). These costs have been shifted back to each of the communities in the Center's FY18 budget. By the end of fiscal year 2018, the Town will have saved approximately \$1,250,000 as compared to the cost of continuing to run our own dispatch center locally.

Recommendation: **Board discussion relative to including ERECC connectivity costs in the fiscal year 2018 Town operating budget.**

(2) Cape Ann Emergency Planning Team Meeting

I attended the subject meeting on February 21, 2017, along with Fire Chief Doucette and Ralph Hawley of the Council on Aging. The meeting featured a discussion relative to plans for upcoming shelter training.

Recommendation: No further action is necessary.

O. Other Items

(1) Presidents' Day Holiday

The office was closed on February 20, 2017, in observance of the subject holiday.

This report is available at www.essexma.org on the morning after any regularly scheduled Essex Board of Selectmen's Meeting.